

1 GILBERT CONTRERAS E-59058
2 P.O. BOX 689 DW-243 UPPER
SOLEDAD, CALIFORNIA. 93960

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4 IN PRO SE
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8 UNITED STATES DISTRICT COURT
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10 NORTHERN DISTRICT OF CALIFORNIA

11 GILBERT CONTRERAS,) CASE NO.: C-07-3774 SBA(PRY)
12 V.) MOTION: CLARIFICATION, FOR
13 B. CURRY, ACTING WARDEN,) RICHARD W. WIEKING,
14) CLERK OF THE COURT;
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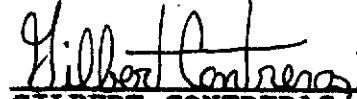
FILED
AUG 17 2007
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

TO: THE CLERK OF THE COURT, UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, 450 GOLDEN GATE AVENUE, SAN
FRANCISCO, CALIFORNIA. 94102. ON AUGUST 2, 2007. VIA INSTITU-
TIONAL MAIL SYSTEM I RECEIVED LEGAL MAIL FROM OFFICE OF THE
CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA,
1301 CLAY ST., SUITE 400S, OAKLAND, CA. 94612-5212, PLEASE SEE
ATTACHED EXHIBIT (A) WHICH ARE COPIES OF THESE DOCUMENTS. YOU
CAN CLEARLY SEE THAT THE CLERK OF THE COURT RICHARD W. WIEKINK
HAS ASSIGNED ANOTHER CIVIL CASE NO.: C-07-3818, WHO HAPPENS TO
BE THE SAME PERSON WHO ASSIGNED THE ABOVE CASE NO.: C-07-3774.
BEING A LAYMAN OF THE LAW I CAN ONLY GUESS THAT DEPUTY CLERKS
MUST BE ASSIGNING CASES USING THE OFFICIAL STAMP OF THE CLERK
OF THE COURT. I BRING TO THE ATTENTION OF THIS HONORABLE COURT
OF A POSSIBLE ERROR, WHICH I HOPE CAN BE CORRECTED IMMEDIATELY

1 TO PROTECT US ALL FROM HINDSIGHT.

2 DATED: AUGUST 7, 2007.

RESPECTFULLY SUBMITTED

3 
4 GILBERT CONTRERAS/IN PRO SE

5 CC: C-FILE
6 RECORDS
7 CLERK OF THE COURT/OAKLAND

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EXHIBIT

A

Gilbert Contreras , E-59058
Soledad State Prison, CTF Central
P.O. Box 689
Soledad, CA 93960-0689
PRO SE

1.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Dear Sir or Madam:

E-Filing C 07 3818

Your petition has been filed as civil case number _____

Your petition is deficient because:

1. You did not pay the appropriate filing fee of \$5.00. If you are unable to pay the entire filing fee at this time, you must sign and complete this court's Prisoner's In Forma Pauperis Application in its entirety.

2. The In Forma Pauperis Application you submitted is insufficient because:

You did not use the correct form. You must submit this court's current Prisoner's In Forma Pauperis Application.

Your In Forma Pauperis Application was not completed in its entirety.

You did not sign your In Forma Pauperis Application.

You did not submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at the prison.

You did not attach a copy of your prisoner trust account statement showing transactions for the last six months.

Other _____

Enclosed you will find this court's current Prisoner's In Forma Pauperis Application, which includes a Certificate of Funds in Prisoner's Account form, and a return envelope for your convenience.

Warning: If you do not respond within THIRTY DAYS from the filing date stamped above, your action will be dismissed and the file closed.

Sincerely,
RICHARD W. WIEKING, Clerk,

By _____

Deputy Clerk

1 **PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY**2 Name GILBERT
(Last) (First) (Initial)3 Prisoner Number E-590584 Institutional Address P.O. BOX 689 DW-243 UPPER5 SOLEDAD, CA. 93960-06896 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**8 **GILBERT CONTRERAS**

9 (Enter the full name of plaintiff in this action.)

10 vs.

11 B. CURRY, WARDEN (ACTING)

12 (Enter the full name of respondent(s) or jailor in this action)

C 07 3818

Case No. _____
(To be provided by the clerk of court)PETITION FOR A WRIT
OF HABEAS CORPUS16 **Read Comments Carefully Before Filing In**17 **When and Where to File**

18 You should file in the Northern District if you were convicted and sentenced in one of these
19 counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa,
20 San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in
21 this district if you are challenging the manner in which your sentence is being executed, such as loss of
22 good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

23 If you are challenging your conviction or sentence and you were not convicted and sentenced in
24 one of the above-named fifteen counties, your petition will likely be transferred to the United States
25 District Court for the district in which the state court that convicted and sentenced you is located. If
26 you are challenging the execution of your sentence and you are not in prison in one of these counties,
27 your petition will likely be transferred to the district court for the district that includes the institution
28 where you are confined. Habeas L.R. 2254-3(b).

67 JUN 2007
RICHARD W. HICKING
NORTHERN DISTRICT OF CALIFORNIA
FILING
IN 12:02
E-Filing, C 07 3818 SBA
(PR)

ORIGINAL

1 GILBERT CONTRERAS E-59058
2 P.O. BOX 689 DW-243 UPPER
3 SOLEDAD, CALIFORNIA. 93960

4 IN PRO SE

5 **E-Filing, C 07 3818**
6 UNITED STATES DISTRICT COURT

SBA

7 NORTHERN DISTRICT OF CALIFORNIA

8 GILBERT CONTRERAS,) CASE NO.: H031100 (MONTEREY
9 PETITIONER,) COUNTY SUPER. Ct. NO. HC5350)
10 V.)
11 B. CURRY, ACTING WARDEN,) MOTION: TO THE CLERK OF THE
12 RESPONDENT.) COURT: REGARDING RELATED FILING
13) FEE, DUE TO INSTITUTIONAL TRUST
14) OFFICE LOST OF PETITIONER'S
15) SELF-ADDRESSED ENVELOPE TO THE
16) CLERK OF THE COURT FOR FILING;
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14 TO: THE CLERK OF THE COURT, UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA, ON MARCH 8, 2007. I, PETITIONER
16 SUBMITTED A PETITION FOR A WRIT OF HABEAS CORPUS TO MY COUNSELOR
17 CCI ACEVES ALONG WITH A CDC-193 TRUST ACCOUNT WITHDRAWAL ORDER
18 FOR THE PURPOSE OF REMOVING \$5.00 DOLLARS FROM MY TRUST ACCOUNT
19 FOR THE FILING FEE FOR THE HABEAS CORPUS, ALSO I SUBMITTED A
20 SELF-ADDRESSED STAMPED ENVELOPE AS PER CDC TITLE 15, RULES AND
21 IN ACCORDANCE WITH THE RULES OF COURT WHEN FILING DOCUMENTATION
22 WITH THE COURT'S. TO THE FOLLOWING ADDRESS:
23 CLERK OF THE UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 450 GOLDEN GATE AVENUE BOX 36060
26 SAN FRANCISCO, CALIFORNIA. 94102-7004
27
28

HOWEVER, I WAS JUST INFORMED BY MY COUNSELOR CCI ACEVES A (120)
HUNDREN AND TWENTY DAYS LATER. THAT THE TRUST OFFICE HERE AT

ON-3774
8/17/07

1 **PRISONER INFORMATION** **DEFENDANT INFORMATION**
 2 Name GILBERT CONTRERAS GILBERT
 (Last) (First) (Middle)
 3 Prison Number 8-9006
 4 Institutional Address W. O. #202 689 HWY 101, P.O.
 SOLEDAD, CA 93960-0689

5 **UNITED STATES DISTRICT COURT**
 6 **NO. 1 NORTHERN DISTRICT OF CALIFORNIA**

(PR
SBA)7 GILBERT CONTRERAS

8 (See the following instructions for filing notice.)

9 vs.10 B. QUAY, WARDEN (ACLU)

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AC 07 3774

(PR)
SBA**U.S. District Court Northern California****ECF Registration Information Handout**

The case you are participating in has been designated for this court's Electronic Case Filing (ECF) Program, pursuant to Civil Local Rule 5-4 and General Order 45. This means that you must (check off the boxes when done):

- 1) Serve** this ECF Registration Information Handout on **all** parties in the case along with the complaint, or for removals, the removal notice. DO NOT serve the efiler application form, just this handout.

Each attorney representing a party must also:

- 2) Register** to become an efiler by filling out the efiler application form. Follow ALL the instructions on the form carefully. If you are already registered in this district, do not register again, your registration is valid for life on all ECF cases in this district.
- 3) Email** (do not efile) the complaint and, for removals, the removal notice and all attachments, in PDF format within ten business days, following the instructions below. You do not need to wait for your registration to be completed to email the court.
- 4) Access** dockets and documents using **PACER** (Public Access to Court Electronic Records). If your firm already has a PACER account, please use that - it is not necessary to have an individual account. PACER registration is free. If you need to establish or check on an account, visit: <http://pacer.psc.uscourts.gov> or call **(800) 676-6856**.

BY SIGNING AND SUBMITTING TO THE COURT A REQUEST FOR AN ECF USER ID AND PASSWORD, YOU CONSENT TO ENTRY OF YOUR E-MAIL ADDRESS INTO THE COURT'S ELECTRONIC SERVICE REGISTRY FOR ELECTRONIC SERVICE ON YOU OF ALL E-FILED PAPERS, PURSUANT TO RULES 77 and 5(b)(2)(D) (eff. 12.1.01) OF THE FEDERAL RULES OF CIVIL PROCEDURE.

All subsequent papers submitted by attorneys in this case shall be filed electronically. Unrepresented litigants must file and serve in paper form, unless prior leave to file electronically is obtained from the assigned judge.

ECF registration forms, interactive tutorials and complete instructions for efilng may be found on the ECF website: <http://ecf.cand.uscourts.gov>

**PROOF OF SERVICE BY MAIL
BY PERSON IN STATE CUSTODY
(C.C.P. SS 1013(A), 2015,5)**

GILBERT CONTRERAS

I, _____, declare:

I am over 18 years of age and I am party to this action. I am a resident of CORRECTIONAL TRAINING FACILITY prison, in the County of Monterrey, State of California. My prison address is:

GILBERT CONTRERAS, CDCR #: E-59058

CORRECTIONAL TRAINING FACILITY

P.O. BOX 689, CELL #: DW-243 UPPER

SOLEDAD, CA 93960-0689.

On AUGUST 7, 2007, I served the attached:

"MOTION FOR CLARIFICATION"

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff), with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named institution in which I am presently confined. The envelope was addressed as follows:

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA. 94102

OFFICE OF THE CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
1301 CLAY ST., SUITE 400S
OAKLAND, CA. 94612-5212

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on AUGUST 7, 2007.

Gilbert Contreras

GILBERT CONTRERAS

Declarant /IN PRO SE